THE VALLEY OF BROKEN HEARTS

by C. E. Kunze

This is the story of the struggle for water rights between the people of the Owens Valley and the city of Los Angeles as it appeared in a series of twelve articles in the San Francisco Call, running from April 21, 1924 through May 3, 1924. The articles were again published in the Los Angeles Record in June, 1924.

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The Story of the Owens Valley

by C. E. KUNZE

Chapter One

Due east from Fresno ninety miles by section line sunk deeply beyond the granite spires of Whitney and the highest range of the Sierras lies Owens Valley, the scene today of one of those tragic human dramas such as formed the theme in Longfellow's immortal poem of "Evangeline".

For nearly twenty years the valley's residents, numbering not less than 6000 people, have waged a heroic battle against an invading city's population for the water that irrigates their fields. Without the use of a reasonable portion of the water that comes tumbling down into their valley from the snow fields of the Sierras community life in this valley becomes impossible.

This battle for water has been tense and bitter, beyond anything of its kind in the history of California. It has gone steadily against the valley residents, however, and today the entire Owens Valley population, now in its fourth generation, faces that most cruel of all human tragedies, the enforced migration from their ancestral homes.

Naturally, the people are still hopeful that this terrible climax to their struggles still may be averted. They are praying for some miracle to arise that will yet save their valley from utter devastation. But the omens are not favorable. Three hundred miles to the south of them a great city has arisen

upon a thinly watered plain. Its population is growing as by some miracle. Dry years have come to remind all Californians how precious is the water which runs from the Sierras' snow fields and mighty forces that are beyond human control have come to play a part in this gigantic drama.

The Owens Valley people - at least a good many of them - are placing their own interpretation upon recent events, and are preparing for the fate which seems to be in store for them with a calm courage and fortitude which usually marks such historic episodes as an enforced migration. They see clear-eyed the swift march of events and in the last few months have shifted their ground. Now, instead of fighting to save the valley itself they are concerned only with saving themselves and their property interests. They have at last become convinced that the odds against them are insurmountable, and each in his own way has adjusted himself to the inexorable fate.

The final signal of their surrender has come in this unusual form. They have offered within the last few weeks to sell what farms, homes and property interests they still have in the valley, that are dependent upon irrigation rights and water diversions, to the city in a wholesale lot at a lump sum of $8,000,000.

This offer is now under consideration by the city of Los Angeles, and if accepted would speedily write the final chapter of the Owens Valley civilization. Headgates in irrigating canals, the first of which were so laboriously dug by hand labor in the early seventies, would be closed for all time. The water which has reclaimed some 60,000 acres of some of the

finest farming in California would course silently southward and out of the valley to Los Angeles; fields and orchards that have been the gleaming promise of a valley's opulent future would again become barren and a desert waste; farm buildings will crumble into ruin and even the towns, built as they mostly are upon an agrarian foundation, would shrink in size and some at least would share the fate of the ghost cities of the western mining camps.

This is the inevitable outcome that faces the people of the Owens Valley if Los Angeles continues along its present course of providing no water storage above the Owens Valley, and relying entirely for its rapidly growing population upon the stream flow of the Owens River. Within the last year the city has been making land purchases wholesale in and about the towns of Big Pine, Laws and Bishop. It has dried up upwards of 100 fertile ranches, permitting them to revert to a desert state. This method the people of the valley have protested against and fought by every means they possessed, but their pleas have fallen on deaf ears and the process of ranch devastation has gone steadily forward.

From the city of Los Angeles to the upper end of the Owens Valley is a distance of about 300 miles. To bring down the water which flows from the eastern watershed of the Sierras into the Owens River, the city has constructed an aqueduct across the forbidding Mojave Desert. The city's investment in this project is now about $26,000,000.

When the project was started nearly twenty years ago the plans contemplated the creation of a huge storage reservoir in what is known as Long Valley, twenty miles above the Owens Valley.

This reservoir has not been built, and therein lies the reason for the process of ranch devastation now taking place.

In wet seasons there is a waste of water. The summer flood and the winter rains go to waste at times, while, in dry seasons and drought years, there is a shortage. The normal runoff from the entire watershed is about twice the water that is now being beneficially used by valley farmers and the city, but fully half that amount is lost through lack of storage, and the devastation of one of the most beautiful valleys in California is the price that is being paid.

The Owens Valley people have no storage rights. They were induced to surrender these twenty years ago to the United States government, which contemplated the construction of a great government reclamation project there. These rights the government later turned over to the city, and consequently the hands of the valley people have since been tied.

There appear to be two reasons why the city has provided no storage in the Long Valley reservoir site. One of these is a dispute over some land rights in the Long Valley between the city and one individual; the other reason is a dispute between the city and a power company over power rights.

Between Long Valley and the Owens Valley the Owens River breaks through a gorge hundreds of feet deep and eight miles long.

The city owns the storage rights on the river and seven miles of the gorge below the proposed storage dam. The power company owns one mile of the gorge, but in that mile lies one-fourth of the potential water power of the whole river.

Between the city on the one hand and the power company on the other the people of the valley are ground between two millstones. Realizing there is water a-plenty for all concerned, they are yet prevented from doing the things which would save them and their valley. They see their farms engulfed, their towns injured and helpless neighbors ruined. New schools, financed by bond issues, are left in districts now in the process of depopulation. Their community life has become demoralized. Property values are shrinking where no direct water right attaches to the property, and a friendly people has become divided into factional groups.

Fear, suspicion and bitter hatreds have pitched their black tents in every crossroad. Neighbor no longer trusts neighbor. Rumors of sell-outs or suspected betrayals are the chief topic of conversation. The chief business of the valley has become the signing of land deeds and the searching of titles. Yet for the most part those who sell sign reluctantly, and in many instances men and women have blotted their signatures with tears. To them these deeds are in reality documents of dispossession.

They love their farms and their homes, quite naturally. They love this valley, set as it is between two high mountain ranges. It is a beautiful valley, worthy of the name they give--

the "Switzerland of America"--but it is a valley in travail, a valley of many broken hearts.

Chapter Two

Geographically, the Owens Valley is a neighbor of Death Valley, the first lying in the northwestern corner and the other in the southeastern corner of Inyo County. It is, on the whole, a forbidding region, a land of desert, barren mountain ranges, deep depressions, some of them below the sea level, and about the last place an uninformed person would think of going to for a great city's water supply.

Mary Austin, novelist, who spent her young womanhood there, and there wrote the books which first made her famous, called it in one of these books "The Land of Little Rain".

The annual precipitation in Owens Valley is about five inches. But the entire eastern watershed of the Sierras for a length of 150 miles drains down through numerous streams into this valley, all of this water ultimately collecting in the bed of the Owens River.

Originally the Piute Indians were the inhabitants. White settlers following the miners came there in the sixties, and in a decade had made themselves masters over the Indians, but not without many bloody battles and the help of a company of soldiers stationed at Fort Independence. Irrigation developed quite rapidly, and by 1900 practically the entire stream flow of the Owens River and the smaller streams had been appropriated.

When the engineers of the United States reclamation service arrived there to make a survey for a prospective project under the Newlands act, passed in 1902, they found 60,000 acres under cultivation.

The arrival of these engineers probably marked the high noon of the Owens Valley development.

The discovery of Tonopah and Goldfield, with their mushroom growth populations, had opened a new and very lucrative market for the Owens Valley farm products, hauled overland 150 miles by freight teams, and in the very hey-day of this new mining hub-bub arrived the government irrigationists with their promise of millions to develop the valley. Untilled desert lands were available and there was water enough, the engineers found, to bring 120,000 acres under cultivation. The town of Bishop, the metropolis of the valley, began to have dreams of becoming a city of twenty or thirty thousand people.

This dream received its first jolt when in the summer of 1905 the news came there would be no reclamation project financed by government money. The service engineers had been withdrawn from the field, and such rights as the government had acquired in the valley to water and storage had been transferred to the city of Los Angeles.

From the town of Independence, in the southern end of the valley, northward for twenty miles, a man by the name of Fred Eaton, Los Angeles city's agent, had acquired options on thousands of acres of land flanking both sides of the Owens River.

The storm clouds which rose over the entire valley with the breaking of this news have never been dispelled.

The first indignation, naturally, was over the losing of the government reclamation project. This project was to have cost nearly $3,000,000--a huge sum of money for so isolated a community. It would have meant the doubling of the irrigated areas, and substitution of cement-lined canals for the old sand lined ditches dug by the settlers. It signified new homes, new farm buildings, new machinery, new markets, new people, new hopes!

All this had come down with one crash, and here, instead of a friend, was an enemy at the gate. In fact, the people of the valley felt that the enemy had not only arrived at the gate, but was within their home. Thousands of acres of land bordering the river for twenty miles were already in his hands.

Right or wrong, this feeling has never entirely subsided. It has caused a cleavage between communities, between former friends, even between families in exactly the way that other warfare does. This resentment has blocked Los Angeles' work in the valley, and has fanned up feelings among some of the aqueduct builders which have worked a further harm. This resentment has been the fertile breeder of suspicions that have made agreements and amicable arrangements utterly impossible.

It seemed outrageous enough to the residents of the Owens Valley that a city should come hundreds of miles across the desert to demand from them a share of their precious water for domestic use. One can imagine how intense their resentment

became when it was learned that not only did Los Angeles intend to have Owens River water for domestic use, but also intended to carry off a lot more for sale to irrigationists in the San Fernando Valley.

The San Fernando Valley lies just north of Los Angeles. Both the coast line and the valley line of the Southern Pacific Railroad cross it. Twenty years ago the San Fernando Valley was as thinly peopled as was the Owens Valley. The miracle of its growth during the last twelve years--of the magic rise of such towns as Lankershim, San Fernando, Van Nuys and Owensmouth, has been the water from the Owens Valley which the builders of the aqueduct brought down across 200 miles of desert.

To the relinquishment of water for Los Angeles domestic use the people of Owens Valley have long since been reconciled. But to the use of this water for the San Fernando irrigationists they are as little reconciled today as they were when the full scope of the aqueduct project first became known to them.

If one wishes to raise a thunder storm in the Owens Valley, search out a group of irreconcilables and casually state what a beautiful place is the San Fernando Valley. Its beauty does not interest them. They can think only of the price they have had to pay for it, and the means that were adopted to convert that semi-arid valley into the garden-spot it now is.

They will even remind you, if the thought had not occurred to you, that for every acre brought under cultivation about the towns of Owensmouth, San Fernando, Van Nuys and Lankershim, one or more acres have been devastated in the Owens

Valley.

Ever since the aqueduct has been built this strange process of farm transmutation has been going on.

What the upper valley has lost the lower valley has gained. So far as the state of California is concerned, the score is probably even, but so far as individuals are concerned up in the Owens Valley, whether they were farmers forced to sell their ranches to the city, or townsfolk, denied the advantage of a growing community, the transmutation process has had a very uneven result. To the individual, indeed, the San Fernando gain has been an Owens Valley loss. The property values which have run away with the water, while they have enriched a whole valley, have to an even greater degree impoverished another.

One trouble has led to another. Last year was one of subnormal rainfall--and snowfall. In the summer the aqueduct, carrying its double burden of domestic water for Los Angeles and irrigation water for the San Fernando farmers, began to run low. The city, alarmed, ordered the irrigation ditches closed. Immediately the San Fernando farmers were up in arms. They demanded water. There was only one place where it could be gotten, and only one way.

The city hurried up into Owens Valley. It spent $1,100,000 buying water lands. It bought an entire canal, known as the McNally ditch, from Owens Valley farmers. It paid big prices for the land, but it got no water. All the water, to which the McNally ditch owners were entitled, running down

the river was diverted before it reached the city's aqueduct.

Below the McNally ditch was the Big Pine ditch, with its intake open. Outwitted, the city's agents hired men with teams and attempted to cut a new channel so that their newly purchased water would not reach the Big Pine ditch. The Big Pine farmers resorted to primitive methods. They armed themselves with guns and drove off the city's workers.

Chapter Three

The fate which has befallen the town of Big Pine may be taken as a warning of the impending tragedy which overhangs the entire Owens River Valley and may at any moment swoop down with devastating force.

Big Pine, taking its name from the creek that cascades from the great Palisade glacier, 8,000 feet above the town, sits upon a sparsely wooded bench of land at the base of the gigantic Sierra range fifteen miles south of Bishop.

To the north and east and south lie ranch lands, some 5,000 or 6,000 acres, all highly improved, extremely fertile, watered from the creek and a canal, and devoted to the production of alfalfa, fine stock, orchards, grain and small garden and vegetable truck.

The town has only two or three hundred people in it, but the surrounding farming population helps to form a self-supporting community or perhaps a thousand people.

It is a beautiful town and a beautiful country, over-

looking the valley which sweeps for endless miles to the north and to the south, faced on the east by the White Mountains, and to the west the granite crags of the Palisades, glacier-bound and close to 13,000 feet high.

Until a few months ago the people of Big Pine seemed as securely placed as the great mountain range at their backs, with a future before them as cloudless as an Inyo sky on a summer's day. The conflict for water which had already swept away portions of two other towns, Lone Pine at the extreme southern end of the valley, and Independence, the county seat, some thirty miles to the south, had been to them only the rumble of distant thunder.

They felt so immune, so safe and so prosperous that they had no hesitation to lay out some heavy investments in private and public improvements. A legion hall was built by subscription, and a new school, large enough to serve for all the grades and as a high school, was constructed at a cost of $100,000. For this building a bond issue was voted.

Then came the sale of the lands under the McNally ditch to the north of them. Under the pressure of its need for more water, and the goading of the farmers in the San Fernando Valley, whose irrigation water had been shut off, the city of Los Angeles laid out $1,500,000 in the purchase of the McNally ditch farms. There were between 8,000 and 9,000 acres of land under this ditch, every acre entitled to an inch of water from the Owens River, and the city purchased 80 per cent of this land.

The headgate of the McNally ditch was closed and the water which would have gone on these ranches came down the river--and into the Big Pine ditch.

Not a drop of it passed the headgate of the Big Pine canal. Not a drop of it reached the aqueduct of the city of Los Angeles. The investment of $1,500,000 had been a futile gesture, so far as it went toward relieving the situation in the San Fernando Valley. There was a shortage in the Owens River and every farmer both above and below the McNally canal had rights to more water than he was getting. The elimination of the McNally intake merely meant that there would be more for the farmers on the Big Pine canal, and they accepted the boon which this windfall had brought them.

The shotgun episode already mentioned then took place. By cutting a new channel in the river, where it makes a horse-shoe bend, the city engineers, led by George Shuey, hoped to get their McNally water past the Big Pine canal without losing it in the canal. The Big Pine farmers, standing on their well tested water rights, but not having any too great faith in the speed of the courts, resorted to the more primitive methods of adjusting such disputes. They drove off the city workers, and thus brought on the next chapter of the story.

The city began negotiations to buy them out. The farmers, fearing treachery among their own, as they had seen such treachery take place in other districts of the valley, signed a compact to stand together. In December, with another dry year in prospect, the city carried this citadel of opposi-

tion and took over all the lands in the Big Pine district for the sum of $1,100,000.

This spring not an acre of the 4,500 acres under the Big Pine Canal is being planted. The orchards are not being irrigated. The headgate of a canal that has been doing duty for forty years or more is closed and that belt of fine farms around the town of Big Pine is lying fallow. There will be no crops this year to gladden the hearts of the farmers, or the townsfolk. There will be this autumn, as there has generally been, no harvest festival in celebration of the bringing in of the bounty of the soil.

Big Pine has received the full blow of the devestation program. Deprived of the support of the ranches, the town is left literally with no visible means of support. It has a debt upon its properties of $100,000 for the new school, which the people must pay, somehow. In the town are property values of probably near a quarter million dollars. There is a bank, a newspaper, a hotel, garages, a dozen stores--the usual equipment of a community of half a thousand people. What is to become of all this?

When the city of Los Angeles purchased the surrounding farms and the water rights that went with them it made no provision for the town of Big Pine, for which these farms and this water made the economic foundation. With one blow the city destroyed the foundation and thereby left hundreds of people--all of them innocent victims of a program in the making of which they were not consulted--stranded as on a desert isle.

Today, unquestionably, one could buy up the entire town of Big Pine for less than half what its price would have been the day before the big land deal was consummated. More than $100,000 of property values were wiped out, and the other $100,000 will mostly evaporate as the summer makes plain what it is that has really happened. For these people this tragedy is as terrible and destructive to all they possess as though an earthquake, a fire or some other calamity had swept over the town. It is as terrible and far more cruel, for the catastrophe is handmade. It is a link in a chain of circumstances the forging of which began in the year 1905, when the first emissary of the city came to the valley and began, unannounced and unidentified, to make his filings along the river from Independence north.

Chapter Four

The fate which has befallen the people of Big Pine now hovers over the town of Bishop, fifteen miles to the north.

Bishop, though not the county seat, is the metropolis of the Owens River Valley. It is the hub of Inyo, the trading center for a region as large as some European kingdoms. The southern half of Mono, to the north, and portions of Nevada, including such mining centers as Tonopah and Goldfield, find in Bishop their most convenient supply depot.

The town is incorporated and has a population of 1,500, but its business houses are many of them of a type and size

one expects to find only in cities three or four times its size. One hardware store, for instance, carries a stock of goods invoiced at $100,000--a stock which for quality and variety can hardly be duplicated by any store in San Francisco.

There are two hardware stores, several garages, two newspapers, two banks, whose combined assets are $3,000,000, two drug stores, markets, clothing emporiums, a new moving picture theater--the usual business development of a very thriving and prosperous California community.

Legion hall, built of concrete, costing, it seems to me, $40,000 or $50,000, is nearing completion. There is a new grammar school that stands the district $100,000, and a brand new high school which represents an investment of $250,000. All together, the property values within the town of Bishop will probably aggregate $2,000,000, and if by any act of man or upheaval of nature the town were wiped out, it would mean the ruination of all the people that live there.

Unlike Big Pine, Bishop has about it a vast expanse of valley lands. It lies in the extreme northern end of the valley, which has here from east to west a spread of nearly thirty miles. On the north the farms make only a fringe of four or five miles, but to the south they follow the fertile river alluviums for ten or fifteen miles to line of the Big Pine district.

Toward the Sierras, southwest, west and northwest, there is a fan-like spread of valley, irregular in shape and

depth, that is from six to twenty miles across. It is broken into a number of distinct depressions by fingerlike ridges which the mountains have run out toward the river, but every acre of these depressions and most of the higher lands are taken up by farms, and have been cultivated for the last fifty years.

Here, then, is the main theater of the Owens Valley water battle.

Immediately adjacent to the town of Bishop lie 54,000 acres of irrigated lands. Every acre is held in private ownership by farmers in lots of 40 to 320 acres. Larger ranches than 320 acres are rare, and in recent years the subdivision impulse has been at work and sliced up the holdings into some 5 and 10 acre tracts, given to fruit raising and gardening.

For the irrigation of these lands the valley farmers since the decades of the seventies and eighties have appropriated and used about all the water which the Owens River and its principal tributaries bring down from the mountains during the growing season. The diversions from the river were made by a series of ditches or canals, dug by the farmers mostly during the winter seasons with horses and scrapers and picks and shovels. The Owens River Canal, the Bishop Creek Canal, the McNally Canal, the Rawson Ditch, the Farmers' Ditch, the Collins Ditch, the Sanger Ditch and the Big Pine Ditch are some of the names given to these local enterprises.

All the larger canals were financed on a co-operative basis, ditch companies were formed and incorporated, the prop-

erty interests were divided into shares and the shares distributed on a pro rata basis among the farmers. Generally one share of stock in a ditch company carried with it the right for the use of one miner's inch of water from that ditch on the land of the proprietor farmer.

A miner's inch of water is deemed necessary in the valley for the irrigation of one acre of land.

The normal flow of the Owens River where it breaks through its gorge to the upper end of the Owens Valley, about twelve miles northwest of the town of Bishop, is 20,000 miner's inches.

The significance of this fact becomes apparent at once. Even before the city of Los Angeles came into the field seeking for a share of the water every inch in the river during the irrigating season had been appropriated by the farmers in the Bishop district and was being used beneficially. Not only that, but twice the amount of land was already under cultivation as the river would normally water, with the result that the farmers were curtailing the use of the water wherever they could and sharing it with each other.

Los Angeles, however, did not come to Bishop for water when it first came to the valley in 1905. The mouth of the Owens River is sixty-five miles south of Bishop. Between Bishop and Independence, fifty miles south, a number of small creeks flow from the Sierras into the Owens River. Also, in an irrigating district the size of that about Bishop there is considerable seepage water and overflow from the irrigating canals

that finds its way back into the river. Also, for seven months of each year the valley farmers were not using any water, and all this created a water surplus, seasonal in character, but considerable in quantity, of which the city took possession.

A less alert and informed people might have paid little attention to this circumstance. At Independence, in fact, where most of the county officials lived and where farming was carried on, there was little, if any, protest. The farmers there sold out to the city, and were glad to, while some of the more prominent business and professional men went quietly, and for the most part secretly, into the employ of Los Angeles. At Bishop, however, a different spirit was shown. There, almost over night, the people organized themselves into a militant fighting force.

Since then this fight has never ceased and the town of Bishop has always been its storm center. There has been the gathering place of the indignant farmers whenever some new move on the part of the invader has called for additional defense measures. The town of Bishop has furnished not only some of the funds spent in this warfare but most of the leadership--a leadership which in time has become divided, so that today some of the very ablest men in the valley are directing the strategy of the Los Angeles cause. There is, in fact, no question but that the most damaging blows which have been struck in the last two years against the valley as a whole have been directed by local talent--by valley residents who for profit or other motives have taken up the invader's cause.

This cause has never been stronger and the valley's side never so demoralized as it is today. Bishop is like a town besieged. Almost half the water which belongs to adjacent ranches has come in the last few months into the possession of Los Angeles and the town is benumbed by the shadow that has suddenly fallen across its way. Hardly a home has escaped the chill that is in the air. It is the chill of death which has moved in with the feeling of despair. One senses this even in the street during the busiest part of a busy day where the men gather in little groups to discuss the latest news or merely the rumors which outrun every new event.

Chapter Five

Now and then the mere possession of wealth brings disaster to an innocent people. It was thus with the Incas, who perished because of their treasure of yellow gold; and it is thus with the people of the Owens valley, face to face with a Homeric calamity, because of their ownership of the White Gold of Inyo.

Few people realize the almost fabulous value of water in a semi-arid region as populous as Los Angeles. It is not only the very foundation of the whole community, but it has a commercial value, a price that is realizable in the open market which places it into the class of precious commodities.

For a single miner's inch of water, coursing down through the Los Angeles aqueduct, the city derives a power toll of about $500 a year. At wholesale rate the city buys this power at $180

a year, and this income from one inch of water capitalized at 5 per cent gives a property value to it of $3600.

The same water is then available either for irrigation of San Fernando Valley land, or for domestic use in Los Angeles, the value of which is estimated at $2500. This would make a combined value for power and water of $6100 per miner's inch at the lower end of the aqueduct, and for this water the city is now paying Owens Valley ranchers from $150 to $300 an inch.

If we take a reduced value of say $5000 an inch, the entire valley supply of 20,000 inches has a municipal value to Los Angeles of $150,000,000.

That is its potential commercial value. That is the price the city could pay and recover from its resale to its own inhabitants. The difference between this price and the price the city is paying constitutes the money prize at stake in the Owens Valley contest.

This was the stake when the city purchased the water in the Big Pine Canal, and it was the stake when John Martin came to Laws less than a year ago and purchased most of the ranches and 80 per cent of the water in the McNally ditch, all tributary to the town of Laws.

Laws is the railroad shipping point for the town of Bishop, six miles northeast of Bishop. It came into existence when D. O. Mills, founder of the Bank of California, built the old Carson and Colorado narrow gauge railroad southward from the mining camps of Candelaria and Bellville through the Owens

Valley to tap the mineral wealth of Cerro Gordo and other southern Inyo mines.

North of Laws lives Mrs. Mary Deyo, owner of forty acres of land, and a water right in the McNally ditch. Mrs. Deyo is the widow of a Civil War veteran and her life has been a veritable bed of desert cactus. For many years a kind hearted merchant in the town of Bishop has sent her a check monthly with which to keep the wolf from her door, for she was never strong enough to work her little plot of land.

When the McNally purchase was made, John Martin offered her $4000 for her place. He cared nothing for her land, but she owned twenty-five inches of water in the McNally ditch, which to the city, at the southern end of the aqueduct, has a commercial value of $5000 an inch--at the very least. As the population in Los Angeles increases this value goes higher and higher.

Mrs. Deyo, unacquainted with water values and unable to work her own land, asked $5000 for her property. Martin offered her $4000, but she wouldn't take that. Five thousand is so little it will not support her, unaccustomed as she is to comfort and schooled as she is in the arts of penury, but she sees her neighbors all selling and she lets her precious white gold go at $200 an inch.

Now the water runs down the aqueduct, gathering value at every mile.

The mere fact that the water at her farm was 4000 feet

above sea level gave it a power value of $3600 an inch. And at the head of the San Fernando Valley it will have an additional value of $2500 for the farmers there or for domestic use. Twenty-five inches of water, worth $5000 an inch--$125,000 in white gold value--what a windfall that might have meant for Mrs. Deyo, but up at Laws, fighting all her days against want, how could she have known the real worth of her little place?

One of Mrs. Deyo's neighbors is C. A. Peak. He, too, is the owner of forty acres of land under the McNally ditch, with a water right of twenty-five inches.

Peak's wife has been an invalid for many years, leaving to him the sole care of their four children. His farm is under cultivation. In recent years the wife and mother has been taken to a hospital as a state ward. Peak placed a price of $12,000 on his ranch. Martin, land buyer for the city, offered him $5000. Peak would not sell, but most of his neighbors did, and through them the city gained its objective, the control of the McNally canal. Now Peak has been punished. He has been classed with an obstreperous minority and the city refuses to pay him any price at all for his property. He is absolutely at the city's mercy, for it controls 80 per cent of the ditch stock, has placed its own people in charge of the property and controls the entire water flow to which the McNally stock has a right.

If the city chooses to do so, it can run the entire McNally stream down the river, and Peak's only recourse will be

a suit in law. Under the circumstances, he can neither plant a crop with the assurance that it will mature, nor can he sell his property, for, other than the city, no one would pay him a dollar for it.

These are not isolated cases. There are a dozen people on the McNally ditch in Peak's situation. These cases are being duplicated wherever the city's land buyer moves.

The sale of the McNally lands and water rights has been a savage blow to the townsfolk of Laws. Though a railroad shipping point, its commercial life was chiefly dependent upon the surrounding agricultural development. With this development wiped out, town values have shrunk almost to the vanishing point. What has happened there may be illustrated by the case of Julia Rogers.

Like Mrs. Deyo, Mrs. Rogers is a widow. For years she worked hard in managing an eating house at Laws, saved a little money, received some help from kind-hearted townsfolks and finally was able to start a small store. The building was donated to her by the Woodman lodge, the lot was virtually a gift from a Bishop firm, and her store has been bringing her an income, enough, with what she earns as postmistress, to make her a living.

She is still postmistress, but the income from her store has evaporated--gone in a day when the McNally canal was sold. The property has lost its selling value as well as its rental value. There was no compensation for the town of Laws when the

farming lands about it were wiped out. Mrs. Rogers has been ruined and she is only one of many who have been ruined in this same way. The white gold, whose proximity at Laws had formed the foundation for her support, is a fluid commodity. It runs readily out of the valley now that the aqueduct is built across the Mojave desert. It runs and it picks up value with every mile it makes--hence the tragedy which it is leaving in its wake.

The White Gold of Inyo!

One wonders, after a talk with Mrs. Deyo, Mr. Peak or Mrs. Rogers of the town of Laws, why the people do not guard it with their lives!

Chapter Six

Deeply buried in the opening phases of the Owens Valley water tragedy lies the Hidden Chapter of the United States Reclamation Service.

This service has had an admittedly brilliant history of achievement. It has constructed twenty-eight great reclamation projects, has reclaimed some 6,000,000 acres of arid or semi-arid lands in the Western states, has provided homes for thousands of sturdy families, and with the expenditure of $100,000,000 of government funds, has written a new epoch in the winning of America.

Everywhere the service has been an agency of constructive projects, erecting great dams, impounding flood water in huge reservoirs, harnessing streams to man's service. It has

been in truth the government's helping hand to the American settler, breaking a path for him through the desert, overcoming obstacles which no single state was strong enough to overcome. This has been its brilliant history everywhere--except in the Owens Valley.

In the Owens Valley the service wrote a chapter of betrayal of a trusting and innocent people that has not its equal in the entire history of the West.

It came as a friend, it came cloaked with the dignity and prestige of the government. It made a thorough investigation of the valley, the lands available for reclamation, of the water that flowed from the mountains. It induced the people there to surrender rights which legally were theirs, to place the entire future of their valley into its hands, and then, without so much as even asking them about it, transferred all these rights to another community hundreds of miles away.

This, in brief outline, is the Hidden Chapter of the Reclamation Service, a chapter of which the service itself is not proud and which, so far as possible, has been permitted to lie buried in the government archives at Washington.

This chapter begins with the arrival, in June, 1903, of J. C. Clausen, a young government engineer, in the Owens Valley for a preliminary survey of the proposed project. Clausen is a native of Salinas, a graduate of the University of California, and now one of the leading water and irrigation engineers in America. He came to the valley twenty-one years

ago as the field scout of the service, sent there by J. B. Lippincott, supervising engineer of the Reclamation Service for California.

Clausen spent the entire summer in Long Valley and the adjacent region, taking stream measurements, surveying the country, selecting a dam site at the head of the Owens River gorge and making his report on the proposed project. He was enthusiastically for the building of the project, and as a result of his report Lippincott recommended the withdrawal of all public lands, both in Long Valley, where the reservoir would be located, and in the lower Owens Valley, where these lands would benefit from the project and become available for new farms.

Under the subheading, "Program for the People", Clausen made the following suggestion to Lippincott;

"In order that the Reclamation Service can insure an efficient irrigating system, it is imperative that it be given control of the total water supply of the valley. The existing private rights must be relinquished, and to accomplish this the people should be required to form an association. This association should carry on negotiations with the separate holdings, formulate a plan of consolidation whereby the private rights pass into the hands of the government, on acceptable terms, so that the laws of the Reclamation Service may be completely unhampered by any existing claims".

This suggestion was in line with a fixed policy of the

service. Whereever a project has been constructed, the federal engineers have insisted upon an adjustment of all water rights within the proposed project area, and complete control over storage. Some of the valley residents had filed on storage sites among the numerous mountain lakes within this watershed, and on most of the creeks, including all the larger ones, such as Bishop Creek, Rock Creek, Convict Creek and Pine Creek. In the summer of 1904 Clausen, on a second trip to the valley, secured the relinquishment of all these filings, given up voluntarily by the men who held them in order that the reclamation project might not be delayed.

In this agreement made with the government engineers, the valley residents and land owners were induced to surrender every right they possessed to further stream diversion or to storage. They disarmed themselves completely, giving up their claims to any surplus water that might be subsequently developed, and trusting implicitly in the good intentions of the Reclamation Service to put these waters upon unused valley lands.

In that same summer Lippincott himself paid the valley his first visit, and the project was further favored by the report of Thomas H. Means, who passed on soils, climate and other circumstances that enter into reclamation engineering. In his report Means said:

"Owens Valley seems to have many peculiar merits to favor it as an irrigation project. Among these may be mentioned abundance of water power, fertile soil, genial climate, nearby

markets for all agricultural products, in Tonopah and Goldfield, and a possible outlet to Los Angeles in the near future. . . . . Agricultural methods in the valley compare favorably with those in average California. . "

The structural features of the proposed project were to consist of a dam 140 feet high at the head of the river gorge in Long Valley, to cost $750,000; the flooding of some 12,000 acres of land in Long Valley with the stored water, and the building of three cement-lined canals in Owens Valley at a cost of $208,000. A lateral system of canals costing $400,000 was proposed, a drainage system for $500,000 and general engineering contingencies to cost $300,000. The total cost of the project as estimated by Clausen was $2,292,000, for irrigation of 106,000 acres of land, an acre cost of $21.58.

Lippincott certainly favored this project after his visit to the valley in 1904, for he said so in a report made by him to the final board of engineers. It was exceedingly economical in its cost per acre of land irrigated, it would build up a highly favored and desirable valley in the great mountain basin, and would unquestionably be a success from the government standpoint. But his report setting forth these things, together with the reports made by Clausen and Means, were not made public. Already, though unsuspected by the people of the Owens Valley, a new hand had appeared in the great game of fate.

Far to the south, hundreds of miles across the desert,

along a route which only an occasional prospector trod, and a burro pack, or a mule team could negotiate, a small but resourceful group of men were incubating an idea that was soon to astonish the world. It certainly did astonish the people of Owens Valley when they first heard of it, and their astonishment has not yet altogether left them. It was a bold idea and one that needed federal aid, but this was already at hand, as we shall see.

Chapter Seven

History records that the man in whose mind first germinated the ambitious plan of bringing Owens River water to Los Angeles was not the one who finally built the aqueduct, but Fred Eaton, former mayor of the city.

Eaton was elected mayor of Los Angeles on December 5, 1898. To some of his friends he has confessed that the idea of bringing water to the semi-arid southland from the flusher valleys of the north came to him five years prior to his term in office. That is, in 1893.

This point is important in its bearing upon the justice of the cause of the Owens Valley people. It reveals that from its very inception a municipal water supply was only incidental to the whole aqueduct project, that the basic thought of the Eaton plan was a general development which speedily would be limited unless an additional water supply could be secured.

At the time of Eaton's election Los Angeles had hardly outgrown its country town character. Only 14,000 votes were

cast at the municipal election of that year, and the government census still listed it as a city of 50,000. The next census, taken at the end of Eaton's term, showed a population of 100,000, and for these people the city had a water supply adequate for three times the number.

It would not be difficult to trace the genesis of Eaton's idea. He was a native of Los Angeles, a civil engineer by training, and for some ten years had been in the city's employ as city engineer. He was, therefore, familiar with every detail of the city's water problem and its water supply, taken from the Los Angeles River.

He also was familiar with the almost fabulous value of water when poured on the sandy soil of the valleys about the city, for he had witnessed with his own eyes the development of these valleys and their transition from desert wastes into orange and lemon groves second not even to those of Italy.

Fred Eaton had trouble selling his idea to the men about him. He himself is of the adventurous type--a man with a sweeping imagination. Few of those he spoke to had his breadth of vision, or, for that matter, his clear conception of the water problem that the whole south faced. Furthermore, none had ever seen the Owens Valley, for in those days the way into it by rail was a three days' journey through Sacramento, Reno, Carson and along the trail of the mining camps which D. O. Mills had followed with his narrow gauge railroad.

Eaton knew the Owens Valley. As an engineer he knew

the feasibility of bringing water across the Mojave Desert. He planned first to have it a private enterprise, an elaborate promotion project standing on three legs of gold--water for the municipalities, water for irrigation of San Fernando lands and hydro-electric energy, just then coming into industrial use and prominence.

This plan was in time discarded for an out and out municipal project, which had two advantages over the private scheme. As a municipal project the financing would be taken care of by a bond issue voted by the city, and the more difficult problem of getting a water supply in a distant and probably hostile valley would be simplified through the advancement of the idea of municipal need. In 1904 the idea finally crystalized. Eaton had sold it to William Mulholland, the city's engineering chief, and to a small but important group of "big men" of the city, including the two leading newspaper publishers, Harrison Gray Otis of the Times and E. T. Earl of the Express. Harry Chandler, Otis' son in law, and a few others were informed of what was in the wind.

The public learned of it months afterward, and not until the time came for the making of a bond campaign with which to finance the project. By that time much of the necessary preliminary work had been disposed of, including the taking over of all storage rights and reservoir lands which the reclamation service had secured.

Events now moved very swiftly, as the following brief

chronology shows:

1904--Eaton arrives at Long Valley with the first official party of Los Angeles officials. They are brought over the range from the Yosemite Valley by a government pack train provided by J. B. Lippincott, chief government engineer, and are shown over Long Valley, where the reclamation service had proposed to build its storage reservoir. The land involved in this storage site shortly after was taken up by Eaton for the city.

April, 1905--Eaton appears at Independence, Owens Valley, with a letter from Lippincott, makes filings on government lands along the river for forty miles, the valley people believing him to be the government's agent.

June 5, 1905--The Board of Water Commissioners at Los Angeles extends a public vote of thanks to F. H. Newell, director of the reclamation service, for the aid given the city in Owens Valley.

July 28, 1905--Lippincott, by written report and oral argument made before the board of reclamation engineers in San Francisco, urges the abandonment of the Owens Valley reclamation project. The board so votes, one member, L. H. Taylor, the builder of the Carson-Truckee project, opposing this action.

August, 1905--Lippincott appears again in Owens Valley, this time as the engineer of Los Angeles, having resigned from the government service.

The feeling in the valley against Lippincott was intense

when the news of his action became known. The previous summer he had served the town of Bishop in an engineering capacity, designing a water system and supervising its construction after the bonds had been voted. He had been paid a commission for this, not much, but the people had believed him their friend. Now, when he passed through the town en route to Long Valley, as engineer for Los Angeles, there was a gathering of hotheads, who proposed to waylay him on his return, and ride him out of the valley. The situation became actually so serious that a "cooling off" mass meeting was held on the day of his expected return, and the mob spirit put down by the pressure of good reason and public opinion.

The die was now cast, and it had fallen definitely against the valley. The forest service, under Pinchot, had placed the blanket of that bureau over all public lands within the valley, 200,000 acres, thus preventing any appropriations of homesteads or other land entries, which might have served to check the encroachments of the city.

The reclamation service had declared "thumbs down" on the proposed project, and at the same time had turned over the acquired storage rights and other favorable material to the city.

Lippincott had taken service directly with the city, and in his indignation over the whole situation, Engineer Clausen resigned from the service. In his letter of resignation he pointed out that he considered the action of the service in

the valley a betrayal of the people, and to such a betrayal he refused to be a party.

There began now a bombardment of official Washington with petitions signed by groups of valley residents. Various higher-ups in Washington, the secretary of the interior, Congress, even the President, Roosevelt, were appealed to, but without result. The city was in and the day of decline for the valley was at hand.

Chapter Eight

The first public announcement of the proposal of the city of Los Angeles to go to the Owens Valley for an additional water supply appeared in the Los Angeles Times. The Express, owned by E. T. Earl, and other papers immediately charged bad faith, declaring there had been an agreement that the news was to have been released to all the city papers at the same time.

Despite this bad beginning all of the newspapers, with the exception of the News, now defunct, supported the bond issue, though the project came under a withering fire of criticism. It was discovered, for instance, that General Otis of the Times, Earl, and a few other wealthy men had availed themselves of the inside information shared by them during the incubating period of the Eaton plan and had acquired rather extensive land holdings in the upper San Fernando Valley, which later were bound to be enhanced in value by the arrival of Owens River water. The chief opposition in Los Angeles to the

whole project finally centered on this phase, but the voters took a broad view, and decided to vote themselves the handsome community dividend that the water project would unquestionably bring, regardless of the private profit which would come to the land speculators.

The bonds issue was for $23,000,000, and it carried by a big majority. Construction work on the aqueduct began almost immediately. This was in the year 1908. In four years the job was finished. One of the greatest municipal enterprises ever undertaken had been achieved, and the credit for the achievement now fell almost altogether to William Mulholland, the engineer in charge.

Mulholland, a native of Ireland, had come up through the ranks, first as laborer, then as contract boss and finally as engineer. He had been in the employ of Los Angeles as superintendent of the water system since 1888. His capacity for driving a job through, and his organizing genius stood the city in good service now, for the whole work was efficiently done and in record time.

The project begins at what is known as Charleys Butte, about twelve miles north of the town of Independence, in the Owens Valley, where the depression between the mountains is narrowest. Here the city constructed a low diversion dam in the Owens River, forcing the water into an open canal, wherein it is carried to the extreme southern end of the valley depression. Here, in a shallow gorge, named by the Indians

Haiwee, another dam has been built and the water impounds in a reservoir of some 63,000 acre-feet capacity.

This reservoir is the only storage provided by the Mulholland project within Owens Valley. Haiwee serves the double purpose of providing an emergency supply in case a break occurred in the aqueduct above, as one did occur only last year, and of permitting the water to clear itself of soil and humus which it carries with it from the river.

From Haiwee the water is drawn into a cement lined canal or aqueduct which crosses the Mojave desert, a distance of 164 miles. At the southern end of the desert it is carried by steel pipe siphons and tunnels through a low range of mountains and let down over declivitous slopes into the northern end of the San Fernando Valley. From here, a distance of twenty-five miles, the water is carried to Los Angeles in conduits.

From Charleys Butte to Los Angeles is a distance of 250 miles.

There are, I am told, 22 miles of open canal, 164 miles of cement lined canals, 28 miles of tunnels, 9 miles of steel pipe siphons and 25 miles of valley conduits within the project.

In San Fernando Valley, and the low hills about Chatsworth, are four small reservoirs. One of these is the Fairmont, with a capacity of 7,620 acre feet, which serves as a regulator for water used in the city's power plants. The others are the upper San Fernando, the lower San Fernando and the Chats-

worth reservoirs. The combined capacity of all these basins in the San Fernando Valley is between 35,000 and 37,000 acre feet.

The present domestic consumption of water in Los Angeles from the Owens Valley supply is in the neighborhood of 400 acre feet per day, hence the storage provided would, if the reservoirs are filled, guarantee a domestic supply for 250 days, even if the river above were to run entirely dry. The city, however, sells about half the water the aqueduct carries to farmers in the San Fernando Valley for irrigating use, and, since this duty must be assured in the summer months, one can say that the city's whole storage is ample only for 125 days, or about four months.

Furthermore, the emergency supply held in these reservoirs is considerably reduced by the other uses the reservoirs give. For instance, Haiwee is a settling reservoir even more than a storage pond, and the water in it cannot with safety be drawn too low. If it is, then the incoming river water carries right through it into the aqueduct below, in a condition not intended by the builders. Last year, when a pinch for water came, the San Fernando farmers were cut off, some losing valuable crops, and Haiwee was drawn down to about 8,000 acre feet, passing below the danger line.

It was this condition which brought the city's land buyers into the upper end of the Owens Valley, forced the purchase by the city of the McNally ditch, with its ruinous results

for the town of Big Pine.

When the construction of the aqueduct began the valley residents assumed, of course, that Mulholland would forthwith provide a real storage reservoir in Long Valley.

Eaton had purchased thousands of acres of land in the valley from T. B. Rickey, a Nevada cattleman, and had secured all the storage rights in Long Valley from the government. A dam site had been selected at the head of the Owens River gorge, and a dam 150 feet high would give, the government engineers had calculated, 200,000 acre feet of storage. This reservoir could be filled every winter and late autumn after the irrigating season is ended, and would when full alone provide the aqueduct to its full capacity of 400 second feet with a flow of water for 500 days.

In other words, the city would not have to depend on any of the normal stream flow of the river, once the Long Valley reservoir were filled, and could take a chance on weather conditions in the mountains, which would fill the reservoir only every other year. Already owning the site and storage rights there, having an easement on 2,000 acres of land and the opportunity of buying the rest from Eaton, who still holds it, this entire development, dam and all, would have cost the city less money than did the purchase of two canals, the McNally and the Big Pine ditches.

Here, say the valley people, lies the key to the whole water conflict in their valley. The key is in the city's hands,

and has been since it persuaded the reclamation service to "shoo" the farmers away back in 1905. The people themselves are helpless, but the city of Los Angeles could, if it would, solve the whole problem in a very short time. It would pay the city handsomely to do so. For in the gorge of the river below the Long Valley dam site for a distance of eight miles are 100,000 horsepower of potential hydro-electric energy now running to waste year after year because no one has taken the trouble to build power plants there to capture this energy.

Chapter Nine

The waters of Inyo, pouring down as they do from the great snow-beds of the Sierra range, through the precipitous canyons and in cascading streams, possess a wealth in power that has lured the power hunter as a new gold field lures the desert prospector. From the very inception of the Los Angeles aqueduct idea, power has been an important phase of it, and the scramble for power between the city and private power companies in these watered canyons has been a further element in the defeat of the cause of the Inyo settlers.

At this very hour, in fact, the key to the valley's possible salvation lies in the hands of the Southern Sierra Power Company, which, if it were in the hands of the city, would make it possible to solve the whole tangled problem in short order. What this key is, and how it fell into the hands of the power company is recent history, and a vital chapter in the valley's tragic story.

When Fred Eaton purchased the Long Valley reservoir site from Tom Rickey in 1905, he secured for the city not only the right to store water above the Owens River gorge, but also the power rights in the gorge for a distance of seven miles.

One mile of the gorge had been appropriated before the city came, by Edson Adams of Oakland, who organized the Mono Power Company.

Whether Adams had a tip as to what was going to happen, or merely blundered into this valley on a sort of raiding expedition, I do not know, but he did secure the most valuable piece of the gorge, so far as power is concerned and he held that mile for nearly eighteen years. He made no serious effort to develop the project, doing just enough work there to hold his legal rights, and finally, three years ago, he sold the rights to the Southern Sierra Power Company.

The estimated possible development of this mile gorge is 25,000 horsepower. In itself, it is too little to be commercial, for the distance out of the valley is immense, and a transmission line costly to build. Even in the hands of a rival company, one mile is not overly valuable for the power it can yield; but as a block to the development by the city of its gorge holdings, it is altogether formidable.

The city of Los Angeles has built its own distributing system, and some years ago took over the competing system in the city owned by the Southern California Edison Company. Since then it has been fighting a battle royal not only against

the Southern Edison, the power mogul of the Southwest, but also the Southern Sierra, which sees in the city a possible rival in the Colorado River development.

Hence the impasse in the Owens River gorge, a situation which has given the city some justification for not building the Long Valley dam, for any dam it built there would help to equalize the stream flow of the river, and would, by just that much, be water over the turbines of the rival power company.

The city had the opportunity to buy this mile three years ago, but for reasons I do not know let this opportunity pass. Adams, through Eaton, offered the holdings to Los Angeles for $400,000. When the city refused to buy Adams sold to the power company, which already has other plants farther up in the mountains.

This sale the city attempted to block by court action. A condemnation suit was filed at Bridgeport, Mono County, and the local court rendered a decision for the city. The court fixed a price of $525,000 for this mile of power. The company appealed and the Supreme Court reversed the ruling. The high court held that a city, engaged in a utility service, cannot condemn property of a private corporation engaged in the same service and selling this service to other municipalities.

The Southern Sierra Company supplies such cities as Riverside, and the entire Imperial Valley with power and light.

Engineers familiar with the power question both in Los Angeles and the Owens Valley see in Harry Chandler the man who

is really strangling the Owens Valley.

From its very inception, Chandler has been the strong man behind the aqueduct project, but his support has been given only to the water issue; the power proposition allied with it he has fought from start to finish.

Chandler, these engineers argue, is anxiously waiting for the day when he can advertise to the world that the city's power enterprise has been a failure. Thus far this hope has been denied him, for the enterprise has been a tremendous success, but if it can be strangled, first through the failure of the people of Los Angeles to support their power bond issues, and secondly by blocking power development along the aqueduct, a turn in the tide might come.

The building of the Long Valley dam and the acquisition of the rest of the gorge would help the city's power system. Rather than permit that he has thrown the influence of his paper, the Times, and of his henchmen in the Legislature behind the blocking program played by the Southern Sierra Company. When the Supreme Court decided against the city, because of the legal interpretation placed upon existing laws, the city attempted to have the law changed so that the condemnation of this one mile of power rights would be legal. The Times at at Sacramento fought the bill, introduced by Senator Lyons from Los Angeles, in the Legislature, and the bill was defeated.

The fact that such a program in the interests of the

power companies is bringing about the devastation of a whole valley does not disturb him. In his own way, and for entirely different reasons, he has been carrying on a similar devastation program in the Imperial Valley. Through his control of a big newspaper he keeps public opinion lined up behind his program, chiefly by not telling the people what his policy is doing to other people, far removed from Los Angeles, and thus the grinding process of the mill stones continues.

If the people of Los Angeles knew what was going on in the Owens Valley, they would hardly approve of it, but, of course, they do not know. They have no way of knowing. Chandler knows, and he is one of the few men who does. He is careful to maintain this state of mind, for it means capital, both for him and his powerful financial friends, interested in maintaining a private monopoly in the power business.

There is a power bond election before the people in Los Angeles at this very moment. The voting takes place next Tuesday. Chandler, as usual, is leading the case of the power companies against the welfare of his own city. The people of the Owens Valley have a tremendous stake in this election. If it carries--if the bonds asked for by the city are voted--it may mean the saving of their valley. If it fails, well, their case will be just that much more serious.

Chapter Ten

Intrigue and deep laid conspiracies, the threat of violence during an hour of intense feeling, law suits, court

injunctions, and on a few occasions the appearance of a gun squad, have marked the nineteen years' warfare over the "white gold" of Inyo.

In all these years the feeling within the valley has never, of course, been so intense, and yet so divided as it is right now. On the occasion of the writer's visit to Long Valley only three weeks ago he encountered a squad of armed cattlemen in Long Valley, standing guard, literally, over some small creeks which feed their water into the Owens River.

These cattlemen are in the employ of Fred Eaton, and have been deputized as officers by the sheriff of Mono County. They live at Eaton's ranch establishment on McGee Creek at the foot of a high peak near Convict Lake, doing double duty as cowboys and water guards.

Every traveler on the highway, passing through this valley and near their ranch houses, receives their careful scrutiny. The reason is that Eaton owns the water in McGee and other small creeks, and uses it for irrigating his cattle range. Some months ago someone cut all his dams and let the water run into the Owens River, where the city of Los Angeles captures it miles down.

Individual lawsuits are numerous. One, just brought by the owners of the Eight Mile ranch, midway between Big Pine and Independence, is typical of this kind of warfare. A large land syndicate from Whittier recently bought the Eight Mile ranch, containing about 1,000 acres, and planted it to orchard,

alfalfa and other crops. There is a small creek on the ranch, but not sufficient to irrigate all the land. The owners bored half a dozen wells and spent upwards of $100,000 on ranch improvements alone.

It is an isolated proposition, miles from the nearest development, but picturesquely set amidst a quite recent volcanic ashpan and cinder field.

Several weeks ago there arrived, just below the ranch and between it and the river, a number of well drilling outfits owned by the city. These outfits began the sinking of a cordon of wells around the eastern end of the whole ranch, the inevitable effect of which will be to drain the ranch wells and thus ruin the whole development.

The Whittier syndicate happens to be well financed, and it began a court fight to stop the city from these drilling operations.

There has been a good deal of big ranch development in the valley in recent years. One man, a C. W. Leffingwell of Fullerton, where he owns large citrus groves, has spent $150,000 developing a big pear orchard at Sunland, near Bishop.

Owens Valley, on a test, proved to be a fine apple and pear country, growing fruit superior to any in California and Oregon. Its light snow-fall in the winter and winter frosts flavor this fruit beyond competition. The whole Leffingwell investment now faces the same fate that stares at the rest of the people.

Similarly, wealthy Los Angeles investors bought large ranches in the valley. One of these is the old Jim Butler ranch near Big Pine, for many years the home of the Father of Tonopah. For this ranch Butler received $150,000 ten or twelve years ago from a London syndicate headed by the Paget twins.

The reason for this large-scale development, which has been going on right up to the last few months, was due to the general feeling that Los Angeles had acquired all the water it wanted in the valley, and that the surplus there had an increasing value for local use. There is the natural charm of the valley, really its greatest and most enduring asset, and a further probability that some day an overland railroad, connecting Southern California with the Central Pacific in Nevada, will pass through there.

At all events, ever since the aqueduct was completed in 1912 there had been a period of quiescence in the water battle until the new flare-up which began two years ago. During that period the valley had been forging ahead. Its productive wealth was so plentiful that the people were able to build new county buildings, including a courthouse and a jail for something like half a million dollars without the bother of a bond issue. In Bishop a $150,000 tourist hotel was started.

What upset this situation were two factors, one growing entirely out of the aqueduct and the other partially out of the same cause. These factors were first, the big development in the San Fernando Valley, built on the use of aqueduct water in

that valley, and second, the amazing growth of Los Angeles.

In twelve years time the demand on aqueduct water had grown to the full capacity of that source--400 cubic feet of water for every second of the day. That is the demand during the irrigation season in the San Fernando Valley. Last year when the aqueduct began to drop below that flow and the small storage supply was exhausted the San Fernando farmers were cut off and the trouble started. It was trouble for both the city and the Owens Valley people.

Apparently, in anticipation of such a crisis the city management began work on the Long Valley dam. It was announced that a structure 100 feet high would be built at once, and the needed diversion tunnel was started. Immediately a legal snag was struck. Such a dam, impounding only 44,000 acre feet instead of the 200,000 which the valley will hold, left the farmers in Owens Valley unprotected.

In order to protect themselves, as the law pertaining to a municipality requires, the farmers brought an injunction suit, its purpose being either to compel the city to heighten the dam to 150 feet or else to adjudicate the disputed water rights in the river, which would have amounted to the same thing, namely, enforcing a 150 foot dam.

Rather than adjudicate the water rights in a court, thus fixing the priority of the farmers for all time, the city ceased work on its dam. The injunction suit slumbers in the courts, and two particularly dry years brought on the crisis that all now face.

Chapter Eleven

There probably is nothing more characteristic of American community life than its factional bickerings--and nothing more injurious to its normal and proper development. Every town is divided into camps more or less hostile to each other, each determined to do things its own way and equally determined to prevent the other from doing them a different way. To this normal factional strife the people have adjusted themselves, and its damaging effect is seldom so serious as to be genuinely destructive to basic interests. In the Owens Valley this normal factional strife has been whipped into a passionate and all-consuming flame by the gigantic bellows and terrific forces of self interest that the city of Los Angeles has supplied.

Every town in the valley is divided into a pro-city and an anti-city faction. In some cases the pro-city forces predominate, and moral feelings actually are on its side. There opposition sentiment is under suppression, and one's community standing is best served by championing the city's cause.

In the town of Bishop, however, and generally throughout what is known as the Bishop Basin, in the northern end of the valley, the reverse condition exists. There the proponents of city interests still speak in a wee, small voice, and the city's lieutenants go about quietly and do their work as unobtrusively as possible. The fear of some public flare-up of feeling, with injurious results to those held disloyal to the valley's interests, is very strong.

As the battle progresses, however, and the purchase of ranches by the city proceeds, public opinion is slowly veering around. Every farmer who has sold out, if he is not in his feelings attached to the city's cause, at least ceases to be a militant opponent, and by this process of attrition the city is not only winning in its strategy for the physical possession of the valley, but is also breaking down the moral resistance of the valley people. In the last few months events have moved so rapidly that if the present rate of progress is continued another two years, or possibly even less, the city will be in full and undisputed possession.

One can suspect that that is the city's real aim, that it has decided, since the dam work was stopped and the winter drouth has forced it to make such large investments in additional water lands, to put an end to the contest as speedily as possible. This suspicion is borne out by a number of specific episodes.

One of these is a recall election now in progress in the McNally district adjacent to the town of Laws. The city secured possession of the canal through purchase of 80 per cent of the stock, and through this control is attempting to oust the man who represents the McNally district on the Owens Valley Irrigation District. This man is J. L. Gish, an old and respected resident in the Laws neighborhood.

The irrigation district was formed two years ago. It was organized by the farmers of the entire Bishop basin, owning

some 54,000 acres of land, in order to protect their water rights in the river. The organization of the district was the answer of the farmers to the refusal of the city to permit court adjudication of the river rights. The McNally land owners voted overwhelmingly to include their lands in the district. But while the legal technicalities encountered in the work of perfecting an irrigation district under the laws of the state were being worked out, the city struck its direct blow by taking options on the McNally canal ranches. It was able to do this only through the aid of local men, who knew every farmer owning land under the canal, knew every farmer's financial condition, the size of his mortgage, when it came due, who held it and what the pressure was upon him. This information, coupled with their understanding of local affairs generally and the valley psychology, made this bold strategy possible, and options were secured on 80 per cent of the land.

Immediately the McNally canal through its own directors rescinded the action of the farmers in voting themselves into the irrigation district, but they permitted Gish, an opponent of the city's policies, to remain their representative on the district board.

There are five directors in the irrigation district. One is already a city man, having sold his entire land holdings, located near Big Pine, to the city. If Gish can be ousted and a city man elected in his place the city will have three of the five members of the board. One more such victory and the whole

board would be the tool of the city, and the entire landed interests embraced within this district, 54,000 acres, together with the remaining free water rights in the Owens River, would be subject to the city's dictation.

Such a tactical victory might happen any day. The city may be personified as an individual having the strength of a million people in his frame. This giant stalks about the valley as he pleases, already owning the greater portion of it. He carries a huge club in one hand and a huge purse filled with gold in the other. Both of his arguments are persuasive, as recent events there show.

Obviously, one of two things is bound to happen, and it is inconceivable that the climax will be long deferred. The city will either build the Long Valley dam, creating a sufficient water storage to take care of all interests now depending upon this water, or it will purchase practically the whole of what remains of the water rights in the valley. Both proposals are before the city. The choice is up to Los Angeles as to which road it will travel.

The wholesale purchase idea, which, if it goes through, will mean, at least for many years, the destruction of the most of the valley's farming enterprises, is of quite recent origin. It came about in this manner:

Some weeks ago while Mulholland was in Washington giving testimony before the House committee on the Boulder Dam project, the threat of a water shortage became acute. He wired

to Los Angeles to turn off the San Fernando irrigating water. There was consternation throughout the San Fernando Valley and a delegation of eight men, representing the consolidated chambers of commerce of that valley, journeyed into the Owens Valley to see for themselves if there was more water to be had.

They were shown two large canals running brimming full. It is the water owned by the irrigation district.

They asked three questions. "Is this water for sale? If so, at what price? If purchased by Los Angeles, how long before it could be delivered to our ditches and San Fernando lands?"

The water was for sale, providing the city purchased the entire district and paid $750,000 to the people of the town of Bishop in compensation for town values destroyed by such a diversion; the price would be $8,000,000; if the purchase was made the water could be delivered to San Fernando Valley in 24 hours!

The delegation returned to San Fernando filled with determination. The news of the affair brought Mulholland back from Washington in a great rush. He met with the people of the San Fernando Valley. The offer of the irrigation district was voted down unanimously. Mulholland opposed purchase on a wholesale basis. He does not recognize any responsibility on the part of Los Angeles to compensate Owens Valley towns in the way that Bishop wished to be compensated. By the present process of retail purchase, he argues, the same holdings can be had for half of $8,000,000.

Chapter Twelve

Has California as a state--have its people as such--an interest, a vital interest in the drama now being enacted in the Owens River Valley?

The question leads at once to the largerphases--to the general social phases of this conflict. Stripped of all its dramatic and encumbering detail, the war for water in this inter-mountain fastness is the age-old struggle between wide dispersion and narrow concentration of population.

The final social effect of the withdrawing of the Owens River water across the Mojave Desert and into the San Fernando and San Gabriel basins is to eliminate one more valley where future generations of Californians might live, and to concentrate this and other people in the narrower confines of a single municipality.

The valley problem receives this larger aspect almost altogether from the fact already pointed out in previous articles that the question at issue has not been whether or not the city of Los Angeles shall take water from the valley for domestic uses; the question is whether the surplus water remaining after the domestic supply has been withdrawn shall be used in irrigating Owens Valley lands, or used in irrigating lands in the San Fernando Valley.

Against the withdrawing of water for domestic use in Los Angeles the valley people have never protested. Their opposition has been directed entirely against two things: the with-

The difference in the two methods already has been pointed out. By either method the valley would be devastated, and forced into its primitive desert state. By the wholesale process the local property holders, even those in the town of Bishop, would be fully compensated, while by the continuance of the present retail purchase methods at least half their property values will be destroyed and taken from them without any compensation. The difference in method to the city may be set down in figures at a sum of about $4,000,000.

In Los Angeles itself public opinion is turning against the present policy of land purchase, and a change of method may be looked for.

An aroused public opinion may even check the entire devastation process and force the aqueduct officials to shift to water storage and conservation methods. That is, of course, what should be done. That is what San Francisco did in Hetch Hetchy, spending upwards of $7,000,000 in dam construction alone, so that no damage would be done to the valley development built up by Tuolumne River water in the Turlock and Modesto irrigation districts.

At this moment the Owens Valley people seem to favor, of all possible solutions of their problem, the wholesale purchase of the remaining water rights--the acceptance by the city of the $8,000,000 offer made by the directors of the Owens Valley irrigation district. This probably is the counsel of weariness. After a warfare of twenty years peace at any price

seems sweet and desirable. If the offer is accepted, what will it mean?

The enforced migration of at least two-thirds of the people of the valley! The driving out, from their ancestral homes, of at least 2,000 families! Some, no doubt, would be glad enough to go. The city would pay them a good price for their farms. They would have funds with which to start up in another community. Some might better themselves, but how many?

When one contemplates the spectacle of the actual flight of such a caravan, moving though it does on rubber tires or railroad trains, the individual cases of the four Stewart brothers present itself. The Stewart brothers--James, Joseph, William and Herbert--are ranchers at Big Pine. When the blow fell on that community last December they were forced, along with the others, to sell their four ranches to the city.

They had not thought of selling out. All their lives they have lived in this valley. All their friends are in this valley. Some have children, married. They had fine ranches and took pride in their possessions, each brother within the last few years having built a new house for his family. Naturally, wherever they go, they will want to go together, but where?

Even before the sale of their ranches was completed the prospect of the enforced migration appalled them. Beyond the great range to the West lies, what is to them California incognita. It is in every respect an alien land--one which they must now tackle almost in the spirit of the pioneer, and they must

tackle it, not willingly, as did their pioneer ancestors, but under the whip of compulsion--a whip that stings the harder because of the element of injustice which it carries.

Is it to be wondered at that the oldest brother wept when he signed with his wife the deed that ousted him from the place he loved, and would shortly drive him away from his friends and neighbors, and possibly away from his own kin.

This tragedy of the four brothers multiplied over and over is the tragedy which lurks behind the $8,000,000 proposal. Under the force of circumstances, under the fear of worse that might befall them, under the goading of a weariness of incessant warfare, it is quite likely that the people of Inyo will sell their white gold in a lump sum. But the sale will not end their tragedy. It will merely wipe out the valley and leave in the wake of a general migration a trail of weeping women and broken hearts.